



U.S. Department  
of Transportation

**Federal Aviation  
Administration**

# Memorandum

**Subject:** **ACTION:** AIR-100 Policy Memorandum #00-02,  
Designated Alteration Station Certification Activities  
Performed on Foreign-Registered Test Articles, and/or at  
Off-Site Locations

**Date:** Mar 13, 2000

**From:** Manager, Aircraft Engineering Division, AIR-100

**Reply to**  
**Attn. of:**

**To:** All Aircraft Certification Offices

**Reference:** AIR-100 Policy Memorandum #00-01, "Proper DAS Program Notification (Letter of Intent) Contents and FAA Response," dated March 10, 2000.

This memorandum prescribes the Aircraft Certification Service policy addressing foreign-registered test articles and off-site activities of Designated Alteration Stations (DASs), including activities to be performed in other countries. Those DASs participating in the DOA/DAS/SFAR 36 (DDS) prototype program shall also follow the guidance contained in draft Order 8100.XX, DAS, DOA, SFAR 36 Authorization Procedures.

The expanding global business arrangements of DASs often involve modification and certification activities at locations other than the approved DAS facility, and/or the utilization of foreign-registered aircraft. The eligibility requirements for obtaining a DAS (utilizing a 14 Code Federal Regulations (CFR) part 145 repair station, part 121 air carrier, or manufacturer), requires that modification work be performed by qualified personnel in accordance with acceptable practices and procedures, and allow for the return to service of U.S. registered aircraft. Additionally, it ensures that the DAS has the appropriate equipment and tooling available, and provides for a level of FAA oversight of the modification activities.

The DAS authorization system is built upon an organizations demonstrated alteration experience and the FAA's confidence in the organization's ability to perform this work. The organization's alteration experience and capability serves as the foundation for the DAS approval. This foundation establishes the ability to produce, install, and conduct applicant conformity of prototype articles in accordance with proposed type design data.

The FAA has developed a delegation and oversight program commensurate with this arrangement. Any change to this component of the DAS system may diminish the integrity of the DAS delegation system, and require the FAA to re-establish delegation authorities and oversight requirements. Linking the functions of the DAS to an authorized repair station, operator, or manufacturer provides a level of assurance that work performed leading to issuance of an STC is done using acceptable practices and procedures.

To ensure the integrity of the DAS system, DAS projects involving foreign-registered test articles and/or performed at off-site locations will be administered based on the following criteria:

**a. Off-Site Activities.** A DAS authorization to operating off-site does not mean their authority or product line has been expanded. As with any delegation, the FAA is responsible to properly oversee and manage those DAS functions that are performed off-site. Off-site activities may only be performed by the DAS as authorized by the managing Aircraft Certification Office (ACO) and coordinated with the Manufacturing Inspection District Office (MIDO). This is limited to projects in which the following conditions are met:

**NOTE: A DAS may not "extend" its repair station authority in accordance with 14 CFR part 145.51(d) to perform off-site STC prototype activities. Any prototype activity must take place at an appropriately rated FAA-approved repair station.**

(1) The FAA-approved DAS manual must contain procedures for working DAS projects at a location other than the DAS. These procedures must be consistent with FAA policies regarding STC issuance, transfer, etc. The DAS must provide quality inspection oversight of the work performed at off-site facilities for the duration of the project.

(2) Off-site activities must take place at an FAA-certified (or Transport Canada - Certified Canadian) repair station with a rating appropriate to the work being performed and within the DAS limitations. The DAS holder may not extend their off-site repair station authority for this purpose. The ACO will contact the cognizant Flight Standard District Office (FSDO) to ensure the off-site repair station has the capability to perform the work outlined in the program notification. Work at FAA approved repair stations in foreign countries requires specific ACO approval.

(3) STC installations, involving the initial type certification activity (e.g., prototype), conducted outside the United States require the managing ACO to assess the burden that might be created in overseeing the installation. Unless specifically covered by an applicable bilateral agreement, the FAA does not issue STC's to non-U.S. applicants. Therefore, for any STC certification program that is proposed for accomplishment at an FAA-approved repair station in a foreign country, the applicant must provide sufficient details for the ACO to determine how the resources of the FAA would be used to administer its regulatory requirements.

(4) The DAS must submit a program notification to the managing ACO in

accordance with the referenced AIR-100 policy memo #00-01. In addition, the program notification must contain the following information:

(a) The location and rating of the facility (repair station, commercial operator, manufacturer) where the actual modification will take place and any specific unique features of the test airplane's registration, etc.

(b) The DAS authorized representatives (AR) to perform functions at the off-site locations.

(c) The DAS must notify their managing ACO and the ACO must receive concurrence from the applicable Civil Aviation Authorities (CAAs) prior to performing any DAS function in a foreign country.

(5) If work is proposed to be performed in a foreign country, the managing ACO will ensure proper policy and guidelines are followed. The ACO must obtain written authorization from the CAA stating that it has no objections to the use of DAS personnel at the FAA-approved repair station in their country. Should the CAA of a foreign country with which a Bilateral Agreement exists restrict the use of DAS personnel, then the managing ACO will coordinate the necessary project support through the CAA. Should the CAA of a country where no Bilateral Agreement exists object to the use of DAS personnel, then the project will be cancelled.

(6) If airworthiness certification activity will occur outside the DAS's geographical area, the DAS must notify the managing ACO. The ACO will coordinate with the MIDO who will provide any additional instruction to the AR's involved.

**b. DAS Projects Involving Foreign-Registered Test Articles.** A DAS should notify their managing ACO as soon as possible when considering such projects in order to minimize delays. The managing ACO may authorize a DAS to develop or amend an STC by using aircraft registered in another country as a test article so long as the modification is accepted in writing by that State of Registry. Under our bilateral agreements, no contact can be made directly by the DAS with a foreign authority.

(1) When the United States is not the State of Registry for the aircraft being altered, the ACO must notify the CAA of the State of Registry of the proposed alteration and invite their participation in the certification project. The ACO must obtain written authorization from the CAA stating that it has no objections to the alteration or the use of a DAS to make compliance findings on the project. The DAS must obtain concurrence from the ACO that the configuration of the foreign-registered test article is acceptable to evaluate the alteration. This includes the presence of other alterations, the configuration of the aircraft as manufactured, and its overall condition for safe operation.

(2) The test article to be presented to the FAA must have a standard airworthiness certificate. A DAS will not be able to issue an experimental airworthiness certificate for flight testing on a foreign-registered aircraft as this can only be done by the country of registry (unless delegated to the FAA). The foreign CAA must be asked if they will issue a "special" airworthiness certificate for flight testing in the altered condition.

**NOTE: Order 8130.2, Airworthiness Certification of Aircraft and Related Products, chapter 7, and 14 CFR part 91, §91.715 provides guidance for the FAA to issue special flight authorizations (SFA's) for foreign-registered aircraft that do not have a valid standard airworthiness certificate and that will be operated in U.S. airspace.**

c. Adherence to these policies is also required: Policy addressing the development of STC projects using foreign-registered test articles or STC activity at a foreign location contained in; AIR-200 Policy Memorandum #99-09, "Guidance for Developing Undue Burden and No Undue Burden Decision Papers Under 14 CFR Part 21," dated November 19, 1999; and AIR-100/AIR-200 Memorandum "Additional Guidance for Determinations of Undue Burden," dated May 27, 1999.

The policy in this memorandum is consistent with guidance as stated in the draft order addressing DAS, DOA, and SFAR-36 procedures. This policy is necessary to ensure proper project completion, appropriate coordination with the CAA, and necessary oversight and involvement by the FAA in DAS STC activity.

For more information on this Policy memo, contact Carol Martineau, AIR-110, 202-267-9568, or Ralph Meyer, AFS-610, 405-954-7072.

**D. Hempe for**  
James C. Jones